

## **375-5-2-.29 Minimum Requirements for Testers**

- (1) Must have held a Driver Training School license for a minimum of two (2) years.
  - (a) Must have vehicles registered with the Department for the purpose of conducting training and/or testing.
  - (b) Must maintain adequate driver records reflecting the driver history of each Examiner.
  - (c) Must enter into a Driver's License Third Party Tester Agreement with the Department.
  - (d) Agree to have the Third Party Tester Program monitored by the Department.
  - (e) The skills test plan must be approved by an authorized member of the Department prior to being used.
  - (f) Tester applicants shall be issued a certification card upon approval from the Department. These certifications shall expire four (4) years from the date of issuance, unless suspended, revoked, or cancelled, and must be renewed every four (4) years thereafter.
- (2) Shall ensure that Examiners submit to the Department Program Manager or Monitor a testing schedule for all testing to be conducted. This schedule will be submitted and received on Friday prior to the week of testing. A 24-hour notice will be given for cancellation. The Program Manager or Monitor may approve changes in schedule as necessary. Testing at times and dates not submitted on the schedule or Department approved changes will violate the agreement between the Tester and the Department.
- (3) Must ensure that all examiners employed by the Tester are certified by the Department and that the Examiners comply with the Department Rules and Regulations, all applicable state laws and Department instructions.
- (4) Test Administration
  - (a) Skills tests will be conducted strictly in accordance with policy used by the Department Examiners. Such instruction may include information on skills test content, route selection/revision, test forms, Examiner procedures, and administration procedures and/or changes.
  - (b) Skills tests shall be conducted:
    - ~~1-~~ i. On test routes approved by the Department.

- ~~2.~~ ii. In a vehicle representative of the class and type of vehicle for which the applicant seeks to be certified and for which the Examiner is qualified to test.
- ~~3.~~ iii. Using the Department approved content, forms, and scoring procedures.
- ~~4.~~ iv. Only on approved days of the week during daylight hours only.

(5) Only students who have successfully completed ~~a thirty (30) hour classroom and six (6) hours of behind-the-wheel training~~ the six (6) hour behind-the-wheel portion of driver training at a licensed driver training school with approval from the Department may be tested.

(6) It shall be the responsibility of the Tester prior to administering the skills test to ensure students have satisfactorily completed the thirty (30) hour classroom or online portion of driver training. A thirty (30) hour classroom or online driver training certificate of completion issued by the Department's Online Certificate Reporting Application (OCRA) shall be sufficient proof that a student satisfactorily completed the thirty (30) hour portion of driver training. The Tester shall maintain a copy of the thirty (30) hour classroom or online driver training certificate of completion in the student's student file, which shall be subject to audit by the Department. If the student cannot produce a copy of his or her thirty (30) hour classroom or online certificate of completion prior to administration of the skills test, it shall be the responsibility of the student to obtain a replacement certificate from the driver training program that issued said certificate.

(7) Testers shall only administer a skills test to students who completed the six (6) hour behind-the-wheel portion of driver training at their driver training program.

~~6.~~ (8) Examiners must complete each test before beginning another test and may not start a test within forty-five (45) minutes of starting the previous test.

~~7.~~ (9) Examiners shall not administer any part of the test unless the Examiner's certification identification card is current and valid and the Examiner is wearing or visibly displaying the card on the Examiner's person.

Authority: O.C.G.A. §§ 40-5-4, 40-16-2, 40-16-3, 40-16-4, 40-16-5, 40-5-27, 40-5-101

## **SYNOPSIS**

## **STATEMENT OF PURPOSE AND MAIN FEATURES OF PROPOSED RULE**

The purpose of this amendment is to update the current rule to reflect statutory changes resulting from Senate Bill ("SB") 212 from the 2019 Legislative Session of the Georgia General Assembly that becomes effective on January 1, 2020.

## **DIFFERENCE BETWEEN EXISTING AND PROPOSED RULES**

Grammatical and formatting changes were made to paragraph 4. Paragraphs 5, 6, and 7 were amended or added to reflect and clarify changes in O.C.G.A. § 40-5-27, resulting from SB 212 of the 2019 Legislative Session.